

## 2007 DRAFTING REQUEST

### Bill

Received: 03/16/2007

Received By: agary

Wanted: As time permits

Identical to LRB:

For: Thomas Lothian (608) 266-1190

By/Representing: Jason Rostan

This file may be shown to any legislator: NO

Drafter: agary

May Contact:

Addl. Drafters:

Subject: Transportation - motor vehicles

Extra Copies: BAB

Submit via email: YES

Requester's email: Rep.Lothian@legis.wisconsin.gov

Carbon copy (CC:) to: aaron.gary@legis.wisconsin.gov

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### Pre Topic:

No specific pre topic given

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### Topic:

Low speed electric bicycles

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### Instructions:

Wants redraft of 2005 AB-95

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### Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	agary 03/16/2007	jdye 03/23/2007					S&L
/1			rschluet 03/23/2007		sbasford 03/23/2007	lparisi 03/27/2007	

FE Sent For:

at intro  
5/8/07

<END>

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agary

1 3/23 jw

3237

FE Sent For:

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7  
2005 ASSEMBLY BILL 95

LPS - PWF  
please

February 8, 2005 - Introduced by Representatives AINSWORTH, HAHN, HINES, KERKMAN, OTT, OWENS, PETROWSKI, TOWNSEND, and VAN ROY, cosponsored by Senators COWLES, BRESKE and RISSE. Referred to Committee on Transportation.

Regen

- 1 AN ACT *to renumber* 340.01 (29m); *to renumber and amend* 340.01 (30); and
- 2 *to create* 340.01 (29m) (bm) and 340.01 (30) (b) of the statutes; **relating to:** the
- 3 definitions of motor bicycle and moped. ✓

***Analysis by the Legislative Reference Bureau***

Under current law, a "moped" is defined to include a bicycle-type vehicle, which has fully operative pedals and an engine that is an integral part of the vehicle, that is capable of a speed of not more than 30 miles per hour with a 150-pound rider on a dry, level, hard surface with no wind. A "motor bicycle" is defined as a bicycle to which a power unit not an integral part of the vehicle has been added to permit the vehicle to travel at a speed of not more than 30 miles per hour under the same conditions. Certain legal consequences follow from the classification of a vehicle as a moped or a motor bicycle. For example, a motor bicycle is exempt from the requirement of vehicle registration with the Department of Transportation (DOT), while a moped must be registered with DOT in the same manner as a motorcycle. Also, with exceptions, mopeds are generally treated similarly to motorcycles for purposes of traffic regulation and vehicle equipment requirements, while motor bicycles are generally treated similarly to bicycles. However, a person must possess a valid operator's license to operate on a highway either a moped or a motor bicycle.

This bill expands the definition of motor bicycle to include a two-wheeled or three-wheeled vehicle that has fully operative pedals and an electric motor of less than 750 watts and that is capable, when powered solely by the motor, of a maximum speed of less than 20 miles per hour with a 170-pound rider on a dry, level, hard

**ASSEMBLY BILL 95**

surface with no wind. This definition is similar to the definition under current federal law of “low-speed electric bicycle.”<sup>✓</sup> The bill also specifies that such a vehicle is not a moped.<sup>✓</sup>

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

1       **SECTION 1.** 340.01 (29m)<sup>x</sup> of the statutes is renumbered 340.01<sup>✓</sup>(29m) (am).

2       **SECTION 2.** 340.01 (29m) (bm)<sup>x</sup> of the statutes is created to read:

3       340.01 **(29m)** (bm) “Moped” does not include a motor bicycle.<sup>✓</sup>

4       **SECTION 3.** 340.01 (30)<sup>✓</sup> of the statutes is renumbered 340.01 (30) (intro.) and  
5 amended to read:

6       340.01 **(30)** (intro.) “Motor bicycle” means ~~a~~ any of the following:<sup>✓</sup>

7       (a) A bicycle to which a power unit not an integral part of the vehicle has been  
8 added to permit the vehicle to travel at a speed of not more than 30 miles per hour  
9 with a 150-pound rider on a dry, level, hard surface with no wind and having a seat  
10 for the operator.

11       **SECTION 4.** 340.01 (30) (b)<sup>x</sup> of the statutes is created to read:

12       340.01 **(30)** (b) A<sup>✓</sup>2-wheeled or 3-wheeled vehicle<sup>✓</sup> that has fully operative  
13 pedals for propulsion by human power and an electric motor of less than<sup>✓</sup> 750 watts  
14 and that is capable, when powered solely by the motor, of a maximum speed of less  
15 than 20<sup>✓</sup> miles per hour with a 170<sup>✓</sup>-pound rider on a dry, level, hard surface with no  
16 wind.

17       **SECTION 5. Initial applicability.**

1           (1) This act first applies to vehicles operated on the effective date of this  
2       subsection. ✓

3 (END)

**Parisi, Lori**

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**From:** Rostan, Jason  
**Sent:** Tuesday, March 27, 2007 4:15 PM  
**To:** LRB.Legal  
**Subject:** Draft Review: LRB 07-2264/1 Topic: Low speed electric bicycles

Please Jacket LRB 07-2264/1 for the ASSEMBLY.